REMARKS

Applicants reply to the Office Action mailed on September 26, 2006, with a one (1) month extension of time. Claims 1-13 were pending in the application and the Examiner rejects claims 1-13. Reconsideration of this application is respectfully requested.

Claims Rejected under 35 U.S.C. § 112

The Examiner has rejected claims 1-13 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants respectfully disagree.

Specifically, the Examiner asserts that, "there is no enablement for establishing a line of credit nor using the established line of credit to fund a brokerage account and activate the brokerage account" (page 3, paragraph 1). Regarding these rejections, Applicants respectfully direct the Examiner to specific portions of the originally-filed disclosure to show both explicit and implicit support for establishing a line of credit to fund a brokerage account and activating the brokerage account.

Regarding the establishment of a line of credit, Applicants direct the Examiner to the first paragraph of the Detailed Description, which discloses a real-time account application process and decisioning system that includes, "establishing an applicant brokerage account with a pre-established trading limit or line of credit" (emphasis added). This introduction lays the foundation for what will later be disclosed as the establishment and immediate funding of a brokerage account to enable immediate trading based on a line of credit.

First, the instant application describes the hardware and software components of the invention, which provide the necessary automation for establishing a line of credit, opening a trading account, and activating the trading account with the established line of credit. For example, paragraph 13 provides an overview of the system that includes a Host System that serves, "as an interface between the Application Server 120 and the Credit Bureau System 210." The disclosure continues, "[u]pon approval, an account with a pre-established trading limit is accessed (STEP 1d) and opened through the Securities Processing System 190 (STEP 1e), whereupon the Application Server 120 requests account activation from a Trading System 310." Thus, it would be apparent to one of ordinary skill that the variously disclosed systems provide the computing infrastructure for the automatic

establishment of a brokerage account via a trading system upon approval of a pre-established trading limit (line of credit).

Next, in reference to Figure 2, the instant application describes a process for establishing and activating a trading account. With reference to paragraph 25, an applicant selects an account type and enters personal information. This information is transmitted to an application server where it is then processed, formatted, and transmitted to one or more credit bureau systems. The credit bureau system verifies the applicant's credentials and sends an approval code to the application server. If the approval code is indicative of a non-approval, the information is sent to a workflow, where the application information may be manually processed. If the credit approval system returns an approval code that is indicative of an approval, the application server opens a brokerage account and funds it in the amount as determined by the approval code (*e.g.*, the creditworthiness of the applicant). The process continues in paragraph 27 with the activation of the brokerage account and the issuance of authentication credentials to the applicant to enable immediate trading.

It is apparent from the above in reference to the originally filed disclosure, that in order to overcome the shortcomings of the prior art, the present invention seeks to provide substantially real-time funding and activation of a brokerage account in order to enable an applicant to obtain immediate access to securities trading. One of ordinary skill would appreciate that because the brokerage account is funded prior to the submission of monies by the applicant; the system provides the applicant with a line of credit based on the applicant's creditworthiness.

The Examiner next asserts that, "the account opening process requires human intervention in the Applicant's invention" (page 3, paragraph 2). Specifically, Applicants respectfully assert that the Examiner erroneously states that there is no description of funding by a line of credit. As described above, the disclosure clearly discloses funding a brokerage account based on a line of credit (e.g., "establishing an applicant brokerage account with a pre-established trading limit or line of credit"). The Examiner next notes that the applicant, "may chose [sic] from 'initial funding options' such as check, wire transfer, account transfer, etch [sic] and may choose 'money settlement options' such as American Express Cash, U.S. Government, etc." (page 3, paragraph 2). Applicants note that the brokerage account is established via a line of credit until the initial funding is received from the account applicant. This enables the account applicant to enjoy immediate funding of a brokerage account, without having to wait for funding via any other means, which would force the account applicant to wait until such funding posted to an account prior to the activation of a brokerage account.

In light of the above arguments, Applicant assert that the limitations involving "line of credit" and "human intervention" should be given weight in interpreting the claims, as they are clearly disclosed within the originally filed specification. In that spirit, Applicants respectfully request the Examiner to consider the following arguments differentiating the present invention from the cited 35 U.S.C. § 103(a) references.

Claims Rejected under 35 U.S.C. § 103

The Examiner rejects claims 1-13 under 35 U.S.C. § 103(a) as being unpatentable over Weiss et al., U.S. Patent No. 6,354,490 ("Weiss") in view of Lent et al., U.S. Patent No. 6,405,181 ("Lent"). Applicants respectfully traverse this rejection.

Weiss discloses an integrated financial system that integrates a number of different financial accounts into a single account. A user of the Weiss system may establish a primary account and define a number of sub-accounts to be included within the primary account. The Weiss system provides an interface, wherein a user may step through the account creation process, select desired sub-accounts, and later interact with the system to move funds between the various sub-accounts. Weiss further discloses that a user may establish one or more securities accounts. The Weiss system requires a licensed bank employee (i.e., a person) to open an account at a scheduled time or to arrange a call-back to schedule a time to open the account (i.e., not a real-time event). According to Weiss, "Specifically, the system displays a securities work window that allows the user to enter an appointment date and time or ask for a call back" (Col. 17, lines 36-40). "The reason for this is that typically information to building the securities component must be handled by a licensed bank employee" (Col. 17, lines 40-42). "If an appointment is made, then the system builds a securities confirm message and the system returns to the statement building screen" (Col. 17, lines 42-44).

The Examiner correctly notes that Weiss fails to teach real-time opening of a brokerage account through "the use of a host server and without human intervention" (page 4, paragraph 1). However, the Examiner asserts that Lent teaches this limitation.

Lent generally discloses a system for real-time credit card approval. Specifically, the Lent system enables an applicant to enter personal information online, which is then formatted and transmitted to a credit reporting agency. Based on the user's personal information (e.g., income, length of employment, home ownership and debt) in combination with a returned credit score, the Lent system may establish a line of credit for the user. Lent further provides a user interface, whereby the user can later interact with the system to transfer funds from the line of credit to a number of secondary

accounts. While the establishment of the line of credit, as disclosed by Lent, does not appear to require human intervention; the step of transferring funds from the line of credit to a secondary account requires the user to interact with the system to invoke a transfer transaction after the line of credit has been established. Importantly, the Lent system first requires a user to request a line of credit or other monetary account. Then, when an account has been established, the user must request that a sum be transferred from the monetary account to the investment account. In other words, the Lent system would require user action to establish both accounts, and one account is not automatically created upon creation of the other. As such, neither Weiss, Lent, nor any combination thereof, disclose or suggest at least, "based upon said establishing said line of credit and said brokerage account, and without human intervention, transferring a monetary value from said line of credit to said brokerage account to activate said brokerage account, wherein said monetary value is immediately available for participation in an investment," as similarly recited by independent claims 1, 11, and 12.

Applicants assert that claims 2-10 and 13 variously depend from independent claims 1 and 12, so claims 2-10 and 13 are differentiated from the cited references for at least the same reasons as set forth above, as well as in view of their own respective features.

In view of the above remarks and amendments, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject Application. Applicants authorize and respectfully request that any fees due be charged to Deposit Account No. 19-2814.

Respectfully submitted,

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